

EXHIBIT 8

From: [Tobin Raju](#)
To: [Lynch, Christopher M. \(CIV\)](#)
Cc: [Dorin Akbari](#); [Noah Kim](#); [Arjun Malik](#); [Ben Menke](#); [Andrew Rikard](#); [Anna Selbrede](#); [David Schulz](#); [Williamson, Brady](#); [Talbot Settle, Nicole](#)
Subject: [Scoville] Summary of March 7, 2024 Meet & Confer
Date: Thursday, March 7, 2024 6:22:00 PM
Attachments: [image001.png](#)

Chris,

Good to speak with you today. Please find below a summary of our March 7, 2024 meet and confer. Please let me know if you have any revisions.

Best,
Tobin

Scheduling Order

- Plaintiff proposed amending the scheduling order to extend the current deadline by six months.
 - Chris will take the proposal back to State.
 - Plaintiff requests State's position on the proposed schedule by Monday, March 11.**
 - Plaintiff's proposed amended scheduling order is below:

Item	Current Deadline (Per ECF 41)	Proposed Amendment
Deadline to Serve Written Discovery	3/22/2024	9/18/2024
Close of Fact Discovery	5/3/2024	10/30/2024
Disclose expert designations	5/10/2024	11/6/2024
Exchange of expert reports	6/14/2024	12/11/2024
Rebuttal expert designations	7/19/2024	1/15/2025
Close of Expert Discovery	8/16/2024	2/12/2025
Daubert Motions	9/27/2024	3/26/2025
Pl's Motion for Summary Judgment	9/27/2024	3/26/2025
Response to Daubert Motions	11/8/2024	5/7/2025
Def's cross motion for Summ. J.	11/8/2024	5/7/2025
Pl's Reply iso Motion for Summ. J.	12/6/2024	6/4/2025
Replies iso Daubert Motions	12/6/2024	6/4/2025
Def's reply iso Mot. for Summ. J.	1/10/2025	7/9/2025

30(b)(6) Deposition

- Plaintiff asked State to confirm the deponent's preferred location for the deposition.
 - Chris will check with State on whether the deponent would prefer Ballard Spahr or another location.**
- Topic 10

- Plaintiff and State are in agreement that Plaintiff will not depose a witness on Topic 10, provided that State continues to provide information on what it has been doing to identify records responsive to discovery requests via counsel.
- Topic 6
 - Plaintiff and State are in agreement that the first and third bullets of Topic 6 will be limited as explained in Plaintiff's November 16, 2023 email.
 - On the second bullet, Plaintiff reserves the right to inquire about other technological platforms State may use to process FOIA requests, besides FOIA Xpress and eRecords.
- Topic 8
 - Plaintiff and State agree to the previous limits on Topic 8, except for State's continued objection to the third bullet regarding *Open America* stays.
 - The parties are unable to reach agreement on the third bullet of Topic 8.
 - Plaintiff will file a motion to compel relating to the third bullet of Topic 8.
- Scope of 30(b)(6) Timeframe
 - Plaintiff disagrees with State's belated objection to the 30(b)(6) time period and assertion that March 2020 to the present should be the time period.
 - The parties are unable to reach agreement on the relevant time period for the 30(b)(6) deposition.
 - Plaintiff will file a motion to compel on this matter.
- Topic 9
 - State represents that it will not prepare its deponent to testify on State's processing of Plaintiff's FOIA requests which were subject to closed prior litigation.
 - Plaintiff disagrees with State's belated objection to deposing State on Plaintiff's FOIA requests filed before March 2020.
 - Plaintiff disagrees with State's belated objection to deposing State on Plaintiff's FOIA requests on or after March 2020 invoking attorney work product and attorney client privilege.
 - The parties are unable to reach agreement on this issue.
 - Plaintiff will file a motion to compel on this matter.
- Deliberative Process Privilege
 - Plaintiff explained that it would oppose general assertions of the deliberative process privilege to prevent testimony on State's decision-making process of Defendant's FOIA program that are the subject of this litigation.
 - The parties are unable to reach agreement on this issue.
 - Plaintiff will seek the court's guidance on this issue.

RFP 34

- Plaintiff and State disagree on State's narrowing of RFP 34 to the timeframe from March 2020 to Present.
 - **Plaintiff will consider State's offer and send a response to State's proposal in the next week.**

Tobin Raju

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